

## **102 KAR 1:250. Rollovers from other plans.**

RELATES TO: 26 U.S.C. 402(c)(8)(B), 403(b)(8)(A), 408(d)(3)(A), 457(e)(16)(A)

STATUTORY AUTHORITY: KRS 161.310, 161.716

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.310 requires the Board of Trustees of the Teachers' Retirement System of the state of Kentucky to promulgate administrative regulations for the administration of the funds of the retirement system and for the transaction of business. KRS 161.716 requires the Board of Trustees to promulgate administrative regulations as are necessary to remove any conflicts with federal laws and to protect the interests of the members and survivors of members of the retirement system. This administrative regulation establishes the types of rollovers from other plans that may be accepted by the retirement system as approved by the Internal Revenue Code, 26 USC 1 to 9833.

Section 1. (1) Kentucky Teachers' Retirement System shall accept member rollover contributions and direct rollovers of distributions to purchase service credit as authorized under KRS 161.220 to 161.990.

(2) The system shall accept a direct rollover of an eligible rollover distribution from:

(a) A qualified plan described in 26 USC 401(a), 401(k), or 403(a) of the Internal Revenue Code;

(b) An annuity contract described in 26 USC 403(b) of the code; or

(c) An eligible plan under 26 USC 457(b) of the code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state.

(3) The system shall accept the contribution of an eligible rollover distribution from:

(a) A qualified plan described in 26 USC 401(a), 401(k), or 403(a) of the Internal Revenue Code;

(b) An annuity contract described in 26 USC 403(b) of the code; or

(c) An eligible plan under 26 USC 457(b) of the code which is maintained by a state, political subdivision of a state, or any agency or instrumentality of a state or political subdivision of a state.

(4) The system shall accept a member rollover contribution of the portion of a distribution from an individual retirement account or annuity described in 26 USC 408(a) or 408(b) of the code that is eligible to be rolled over and otherwise would be includible in gross income.

Section 2. Rollovers from other plans shall be accepted effective January 1, 2002. (28 Ky.R. 2114; 2325; eff. 5-16-2002; Crt eff. 7-3-2019.)